

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CRIMINAL CASE NO. 1:07-cr-00033-MR-WCM-9**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	<u>ORDER</u>
)	
HAROLD EUGENE PATTON,)	
)	
Defendant.)	
_____)	

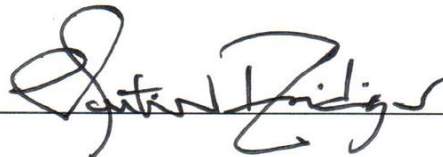
THIS MATTER is before the Court *sua sponte* after review of the Defendant's "Motion for a Reduced Sentence Pursuant to Sec. 404 of the First Step Act of 2018" [Docs. 644, 645; as supplemented, Doc. 661] and the Government's consent to the Defendant's Motion. [Doc. 664].

The parties are directed to provide supplemental briefing on the issue of whether the Court has subject matter jurisdiction/authority to amend a sentence imposed by an executive order of clemency signed by the President pursuant to Article II, Section 2, Paragraph 1 of the United States Constitution; and if the Court has no subject matter jurisdiction/authority to increase the term of imprisonment, how does the Court have such jurisdiction/authority to decrease the term of imprisonment.

IT IS, THEREFORE, ORDERED that within ten (10) days of the entry of this Order, the parties shall file supplemental briefs on the aforementioned issue. Such supplemental briefing shall not exceed ten (10) pages in length.

IT IS SO ORDERED.

Signed: August 12, 2020

A handwritten signature in black ink, appearing to read "Martin Reidinger", written over a horizontal line.

Martin Reidinger
Chief United States District Judge

